

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HK CAPITAL LLC,

Plaintiff,

v.

FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for Signature Bank,
FEDERAL DEPOSIT INSURANCE
CORPORATION in its Corporate Capacity,
FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for Signature Bridge
Bank, N.A., FLAGSTAR BANK, N.A., NICKY G
DEVELOPMENT GROUP LLC, AND
"JOHN DOE" #1-#10,

Defendants.
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Case No. 1:23-cv-3775

**STIPULATION TO DISMISS CLAIMS
AGAINST NICKY G
DEVELOPMENT GROUP LLC AS
SET FORTH IN THIRD AMENDED
COMPLAINT**

FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for Signature Bank,

Third-Party Plaintiff,

v.

LOUIS GUADAGNO and ATLANTIC CONS
CO LLC

Third-Party Defendants.
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WHEREAS, Plaintiff HK Capital ("Plaintiff") on January 30, 2024 filed a Third Amended Complaint ("TAC") in this action including causes of action against Nicky G Development Group LLC ("Nicky G"); and

WHEREAS by the Opinion and Order of the Court filed May 21, 2024, the Court dismissed each of the causes of action contained in the TAC except the First and Second Causes of Action against Nicky G; and

WHEREAS Plaintiff and Nicky G have agreed to discontinue Plaintiff's claims against Nicky G, as contained in the First and Second Causes of Action of the TAC.

NOW THEREFORE IT IS HEREBY STIPULATED TO AND AGREED that Plaintiff hereby withdraws and consents to the dismissal, with prejudice and without costs, of its First and Second Causes of Action against Nicky G as contained in the TAC.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be signed by the parties in counterparts which together shall constitute one and the same agreement among the parties, and that an e-signature shall constitute an original signature for all purposes.

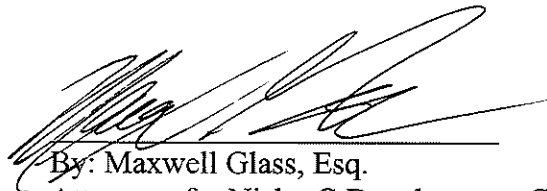
Dated: New York, New York
August 8, 2024

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